

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Action No. 5:23-CT-3332

JOSHUA A. JOHNSON,

Plaintiff

v.

STEADMAN JODY GREENE, in his
individual capacity; COLUMBUS COUNTY
SHERIFF WILLIAM ROGERS,
in his official capacity;
BERNETTA CRAWFORD, in her individual
capacity; TRINA WORLEY, in her
individual capacity; and
WESTERN SURETY COMPANY, in its
capacity as surety on the Official Bond of
the Sheriff of Columbus County,

Defendants

AFFIDAVIT OF
JEREMY BARBER

NOW COMES the affiant, Jeremy Barber, and, after having been previously sworn, states as follows:

1. I am over 18 years of age, do not suffer from any disability, am competent to make this affidavit, and have personal knowledge of the facts contained in this affidavit.

2. I am a deputy sheriff in the Columbus County Sheriff's Office and have been since 2005. I currently hold the rank of Captain and serve as the internal affairs investigator for the Columbus County Sheriff's Office. I have been a sworn law enforcement officer since 1998.

3. One of my collateral duties is to serve as a custodian of personnel files for employees of the Columbus County Sheriff's Office. When the sheriff's office is required to produce a personnel file in civil litigation or in response to other legal process, I am responsible for doing so as allowed by court orders and the law. Under Section 153A-98 of the North Carolina General Statutes, county personnel files and the information contained in them are confidential, with certain exceptions, and may not be released without a court order. Personnel files contain sensitive information, including privacy data, medical and psychological records, employment and disciplinary history, names of dependents and other family members, reference statements, personal biographical information, and financial information such as bank account numbers, credit card numbers and balances, and credit histories.

4. The Columbus County Sheriff's Office has 172 employees and many more former employees, and each person has a personnel file. I estimate that the sheriff's office probably has up to 600 personnel files in storage. Personnel files can contain dozens or hundreds of pages depending on the employee and length of his or service in the sheriff's office.

5. I am currently the only officer in the Columbus County Sheriff's Office who handles requests for producing personnel files. Each time the sheriff's office is required to produce a personnel file, I pull it from our files, copy it, and provide it to the appropriate person. Sometimes information in the file must be redacted before it is produced to the requesting party. Producing personnel files in civil discovery may require a significant amount of time.

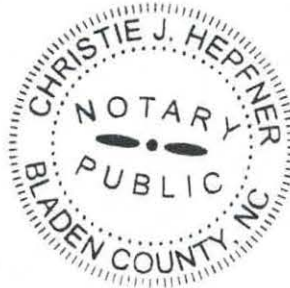
6. By policy and practice, I am required to notify an employee in writing that his or her personnel file has been requested and produced and that it may be used in litigation. Sometimes that employee will call me and ask why the personnel file is being produced. Not all current or former employees are pleased when they learn that their files are being produced in a case in which they are not directly involved.

This is the 4TH day of April, 2024.


JEREMY BARBER

Sworn to and subscribed before me
this 4 day of April, 2024.


NOTARY PUBLIC
My Commission Expires: 2/27/29



CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is an attorney at law licensed to practice in the State of North Carolina, is attorney for defendants (*Columbus County Sheriff William Rogers, Bernetta Crawford, Trina Worley and Western Surety Company*) in this matter, and is a person of such age and discretion as to be competent to serve process.

I hereby certify that on April 25, 2024, I electronically filed the foregoing **AFFIDAVIT OF JEREMY BARBER** with the Clerk of Court using the CM/ECF system which will also send an email notification to the following:

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